

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.) Civil Action No. 04-12582-RCL
)
301 ADAMS STREET, QUINCY,)
MASSACHUSETTS; 1548-1558)
DORCHESTER AVENUE, DORCHESTER,)
MASSACHUSETTS; FIVE (5) CERTAIN)
PARCELS OF LAND WITH THE)
BUILDINGS(S) THEREON IN BROCKTON)
PLYMOUTH COUNTY, MASSACHUSETTS,)
COMMONLY KNOWN AS 11 ROSSETER)
STREET, 16 ROSSETER STREET,)
213-223 NORTH MAIN STREET, 204)
NORTH MONTELLO STREET, AND 227)
NORTH MAIN STREET, INCLUDING ALL)
APPURTENANCES AND IMPROVEMENTS)
THEREON; \$67,561.88 IN UNITED)
STATES CURRENCY; and \$26,776.42 IN)
UNITED STATES CURRENCY, SEIZED)
FROM ASIAN AMERICAN BANK CHECKING)
ACCOUNT NUMBER 310029269,)
Defendants.)

UNITED STATES' MOTION FOR RELEASE OF LIS PENDENS

The United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby moves that this Court authorize the United States to release the Lis Pendens which has been recorded at the Plymouth County Registry of Deeds on the following real property, described as:

five (5) certain parcels of land with the buildings(s) thereon in Brockton, Plymouth County, Massachusetts, commonly known as 11 Rosseter Street, 16 Rosseter Street, 213-223 North Main Street, 204 North Montello Street, and 227 North Main Street, having a deed recorded at the Plymouth County Registry of Deeds, Book 29342, Page 298, ("204 North Montello"), currently owned by DL Group, L.L.C.

As grounds for this motion, the United States submits that the United States of America, by its attorney, and Claimants Tina Le, Steven A. Rubin, Aurora Loan Services, and Greenpoint Mortgage Funding, Inc., by their respective attorneys (collectively, the "Parties"), have jointly moved that this Court enter an Order permitting the interlocutory sales of the 204 North Montello property, and the other Defendant Real Properties involved in this instant civil forfeiture matter, and the District Court endorsed the Order for Interlocutory Sales of the 204 North Montello property, and the other Defendant Real Properties, on March 21, 2006 (see Document No. 41). The Parties agree that the 204 North Montello property should now be sold, and the net proceeds from the sale of the 204 North Montello property shall become the substitute res for the 204 North Montello property, and shall be held by the United States Marshals Service, in its Seized Assets Deposit Fund, pending the conclusion of this case and the related criminal case, United States v. Tina Le, et al., Criminal Action No. 05-10277-PBS.

WHEREFORE, the United States requests that the Court authorize the release of the Lis Pendens for the 204 North Montello property issued in this instant case. A proposed Release of Lis Pendens is submitted herewith for consideration by the Court.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Kristina E. Barclay
KRISTINA E. BARCLAY
Assistant U.S. Attorney
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3100

Date: April 24, 2007

CERTIFICATE OF SERVICE

This is to certify that the foregoing United States' Motion for Release of Lis Pendens, and the proposed Release of Lis Pendens, filed through the Electronic Case Filing system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Kristina E. Barclay
Kristina E. Barclay
Assistant U.S. Attorney

Date: April 24, 2007

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff,)	
	)	Civil Action No. 04-12582-RCL
v.)	
)	
301 ADAMS STREET, QUINCY,	)	<u>Record Owner:</u>
MASSACHUSETTS; 1548-1558	)	DL Group, L.L.C.
DORCHESTER AVENUE, DORCHESTER,)	
MASSACHUSETTS; and FIVE (5)	)	<u>Property:</u>
CERTAIN PARCELS OF LAND WITH THE	)	11 Rosseter Street
BUILDINGS(S) THEREON IN BROCKTON	)	16 Rosseter Street
PLYMOUTH COUNTY, MASSACHUSETTS,	)	213-223 North Main Street
COMMONLY KNOWN AS 11 ROSSETER	)	204 North Montello Street
STREET, 16 ROSSETER STREET,	)	227 North Main Street
213-223 NORTH MAIN STREET, 204	)	Brockton, Massachusetts
NORTH MONTELLO STREET, AND 227)	
NORTH MAIN STREET, INCLUDING ALL	)	Plymouth County
APPURTENANCES AND IMPROVEMENTS	)	<u>Registry of Deeds</u>
THEREON,	)	Book: 29342 Page: 298
Defendants.)	

RELEASE OF LIS PENDENS

TO ALL WHOM IT MAY CONCERN:

PLEASE TAKE NOTICE that the United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby releases the Lis Pendens against five (5) certain parcels of land with the buildings(s) thereon in Brockton, Plymouth County, Massachusetts, commonly known as 11 Rosseter Street, 16 Rosseter Street, 213-223 North Main Street, 204 North Montello Street, and 227 North Main Street ("204 North Montello"). For title to 204 North Montello, see Book 29342, Page 298, of the Plymouth County Registry of Deeds, reflecting the conveyance of the property by Quitclaim Deed on October 26, 2004.

This Release is made by agreement of the parties.

The Lis Pendens was recorded on December 16, 2004, at the Plymouth County Registry of Deeds, a copy of which is attached.

Signed under the pains and penalties of perjury this 24th day of April, 2007.

MICHAEL J. SULLIVAN
United States Attorney

By: _____

KRISTINA E. BARCLAY
Assistant U.S. Attorney
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3100

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

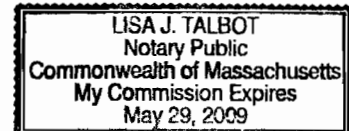
Boston

Then personally appeared the above named Kristina E. Barclay, Assistant United States Attorney, and acknowledged the foregoing to be true to the best of her knowledge, information, and belief, and to be her free act and deed on behalf of the United States of America.

Subscribed to and sworn before me this 24th day of April, 2007.

Lisa J. Talbot
Notary Public
My commission expires:

SO ORDERED AND ENDORSED:



REGINALD C. LINDSAY
United States District Court Judge

Dated: _____

N:\LTalbot\Barclay\Tina Le\Civil Case\Release of Lis Pendens (204 North Montello).wpd

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,
Plaintiff,

v.

301 ADAMS STREET, QUINCY,
MASSACHUSETTS; 1548-1558
DORCHESTER AVENUE, DORCHESTER,
MASSACHUSETTS; and FIVE (5)
CERTAIN PARCELS OF LAND WITH THE
BUILDINGS(S) THEREON IN BROCKTON
PLYMOUTH COUNTY, MASSACHUSETTS,
COMMONLY KNOWN AS 11 ROSSETER
STREET, 16 ROSSETER STREET,
213-223 NORTH MAIN STREET, 204
NORTH MONTELLO STREET, AND 227
NORTH MAIN STREET, INCLUDING ALL
APPURTENANCES AND IMPROVEMENTS
THEREON,

Defendants.

) **FILED EX PARTE AND UNDER SEAL**

)
) Civil Action No.

) **04-12582 RCL**
) Record Owner
) DL Group, L.L.C.

) Property:

) 11 Rosseter Street
) 16 Rosseter Street
) 213-223 North Main Street
) 204 North Montello Street
) 227 North Main Street
) Brockton, Massachusetts

) Plymouth County

) Registry of Deeds

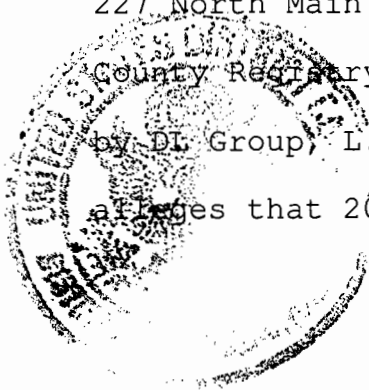
) Book: 29342 Page: 298

) I, TONY ANASTAS, CLERK OF THE
PLAINTIFF'S ATTORNEY, CERTIFY ON
THIS 12/15/04, THAT THE ABOVE DOCUMENT IS
A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE
IN MY OFFICE AND IN MY LEGAL CUSTODY.

LIS PENDENS

TO ALL WHOM IT MAY CONCERN:

PLEASE TAKE NOTICE that the United States of America, by *Don Stankovic* by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, has caused a Verified Complaint for Forfeiture in Rem to be filed against five (5) certain parcels of land with the buildings(s) thereon in Brockton, Plymouth County, Massachusetts, commonly known as 11 Rosseter Street, 16 Rosseter Street, 213-223 North Main Street, 204 North Montello Street, and 227 North Main Street, with a deed recorded at the Plymouth County Registry of Deeds, Book 29342, Page 298, currently owned by DL Group, L.L.C. ("204 North Montello"). The Complaint alleges that 204 North Montello constitutes or is derived from,



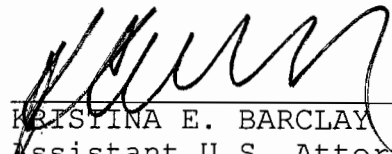
proceeds of mail fraud and/or wire fraud, in violation of 18 U.S.C. §§ 1341 and/or 1343, and therefore is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C). In addition, the Complaint further alleges that 204 North Montello was involved in transactions or attempted transactions in violation of 18 U.S.C. §§ 1956 and/or 1957, and therefore is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A).

For title to 204 North Montello, see Book 29342, Page 298, of the Plymouth County Registry of Deeds, reflecting the conveyance of the property by Quitclaim Deed on October 26, 2004.

Respectfully submitted,

MICHAEL J. SULLIVAN
United State Attorney

By:


KRISTINA E. BARCLAY
Assistant U.S. Attorney
Suite 9200
1 Courthouse Way
Boston, MA 02210
(617) 748-3100


Dated: December 9, 2004

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

OATH

The undersigned Kristina E. Barclay, Assistant United States Attorney, on her oath declares that the proceeding referred to above affects the title to the land and building as described above.




Kristina E. Barclay
Assistant U.S. Attorney

Dated: December 9, 2004

Then personally appeared the above-named Kristina E. Barclay, Assistant United States Attorney, and acknowledge the foregoing to be true to the best of her knowledge, information and belief, and to be her free act and deed on behalf of the United States of America.

Subscribed to and sworn before this 9 day of December, 2004.

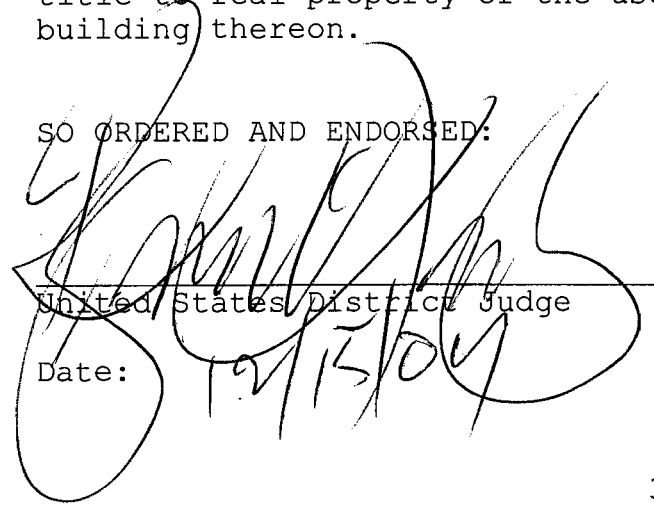


NOTARY PUBLIC
My Commission expires:
May 15, 2009

KAY-BETH WHITTEN
Notary Public
Commonwealth of Massachusetts
My Commission Expires
May 15, 2009

The above-captioned action constitutes a claim of right to title to real property or the use and occupation thereof or the building thereon.

SO ORDERED AND ENDORSED:



United States District Judge

Date: 12/15/04

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff,)	
	)	Civil Action No. 04-12582-RCL
v.)	
)	
301 ADAMS STREET, QUINCY,	)	<u>Record Owner:</u>
MASSACHUSETTS; 1548-1558)	DL Group, L.L.C.
DORCHESTER AVENUE, DORCHESTER,)	
MASSACHUSETTS; and FIVE (5))	<u>Property:</u>
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COMMONLY KNOWN AS 11 ROSSETER)	204 North Montello Street
STREET, 16 ROSSETER STREET,)	227 North Main Street
213-223 NORTH MAIN STREET, 204	)	Brockton, Massachusetts
NORTH MONTELLO STREET, AND 227)	
NORTH MAIN STREET, INCLUDING ALL	)	Plymouth County
APPURTENANCES AND IMPROVEMENTS	)	<u>Registry of Deeds</u>
THEREON,	)	Book: 29342 Page: 298
Defendants.)	

AFFIDAVIT OF SERVICE

I, Michael E. Walsingham, Special Agent, Federal Bureau of Investigation, being duly sworn, depose and say:

1. The attached Lis Pendens was issued in the above-captioned case and relates to real property which is subject to forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 981(a)(1)(A).

2. I have caused to be served the aforementioned Lis Pendens by certified mail addressed to:

Tina Le
301 Adams Street
Quincy, MA 02169

Steven Nguyen
301 Adams Street
Quincy, MA 02169

Plymouth County Registry of Deeds
7 Russell Street
Plymouth, MA 02361

DL Group L.L.C.
204 North Montello Street
Brockton, MA 02301

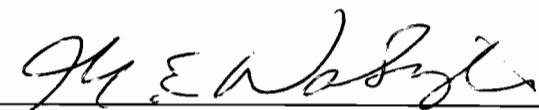
Steven A. Rubin
Trustee of the SA Rubin
Realty Trust
11 Katelyn Hill Drive
West Falmouth, MA 02574

Stephen M. Scolnick, Esq.
Law Offices of Russo &
Scolnick, Eighth Floor
Two Oliver Street
Boston, MA 02109

Brockton City Hall
Assessor's Office
45 School Street
Brockton, MA 02301

3. The Lis Pendens will also be served upon counsel for any claimant after counsel files his/her appearance.

Signed under the pains and penalties of perjury this 16th day of December, 2004.

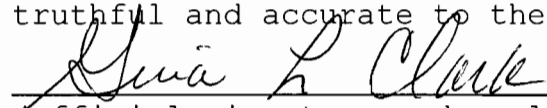


Michael E. Walsingham
Special Agent
Federal Bureau of Investigation

Commonwealth of Massachusetts

Plymouth, SS.

On this 16 day of December, 2004, before me, the undersigned notary public, personally appeared Michael E. Walsingham, Special Agent, Federal Bureau of Investigation, who proved to me through satisfactory evidence of identification, which were MA Driver's license, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.



(official signature and seal of notary) Gina L. Clark

My commission expires April 19, 2007



GINA L. CLARK
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
My commission expires on April 19, 2007